

SENATE BILL 324

R5

0lr2304
CF HB 499

By: ~~Senator Glassman~~ **Senators Glassman, Jacobs, Forehand, and Colburn**

Introduced and read first time: January 28, 2010

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2010

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Approaching Emergency Vehicles and Personnel**

3 FOR the purpose of requiring drivers approaching an emergency vehicle that is
4 stopped, standing, or parked on a highway and using any visual signals, unless
5 otherwise directed by a police officer or traffic control device, to ~~vacate the lane~~
6 ~~closest~~ make a lane change into an available lane not immediately adjacent to
7 the emergency vehicle under certain circumstances or to slow to a reasonable
8 and prudent speed that ~~ensures the safety of the emergency services personnel~~
9 is safe for certain existing conditions under certain circumstances; and
10 generally relating to the rules of the road when approaching emergency vehicles
11 and personnel.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 21–405
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2009 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 21–405.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) On the immediate approach of an emergency vehicle using audible and
2 visual signals that meet the requirements of § 22-218 of this article or of a police
3 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
4 otherwise directed by a police officer, shall yield the right-of-way.

5 (b) On the immediate approach of an emergency vehicle using audible and
6 visual signals that meet the requirements of § 22-218 of this article or of a police
7 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
8 otherwise directed by a police officer, shall drive immediately to a position parallel to
9 and as close as possible to the edge or curb of the roadway, clear of any intersection.

10 (c) On the immediate approach of an emergency vehicle using audible and
11 visual signals that meet the requirements of § 22-218 of this article or of a police
12 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
13 otherwise directed by a police officer, shall stop and stay in this position until the
14 emergency vehicle has passed.

15 (d) A driver, when proceeding in the same direction as an emergency or
16 police vehicle, may not pass an emergency vehicle using audible and visual signals
17 that meet the requirements of § 22-218 of this article or a police vehicle lawfully using
18 an audible signal unless:

19 (1) The emergency vehicle has stopped; or

20 (2) Otherwise directed by a police officer.

21 (e) **UNLESS OTHERWISE DIRECTED BY A POLICE OFFICER OR A TRAFFIC**
22 **CONTROL DEVICE, WHEN AN EMERGENCY VEHICLE USING ANY VISUAL SIGNAL**
23 **THAT MEETS THE REQUIREMENTS OF § 22-218 OF THIS ARTICLE IS STOPPED,**
24 **STANDING, OR PARKED ON A HIGHWAY, THE DRIVER OF A MOTOR VEHICLE**
25 **APPROACHING THE EMERGENCY VEHICLE FROM THE REAR SHALL:**

26 **(1) ON A HIGHWAY THAT IS DIVIDED INTO TWO OR MORE**
27 **CLEARLY MARKED LANES FOR VEHICULAR TRAFFIC MOVING IN THE SAME**
28 **DIRECTION, VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE IF**
29 **PRACTICABLE AND NOT OTHERWISE PROHIBITED, MAKE A LANE CHANGE INTO**
30 **AN AVAILABLE LANE NOT IMMEDIATELY ADJACENT TO THE EMERGENCY**
31 **VEHICLE WITH DUE REGARD FOR SAFETY AND TRAFFIC CONDITIONS; OR**

32 **(2) IF THE DRIVER OF THE MOTOR VEHICLE IS UNABLE TO**
33 **VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE, OR ON A HIGHWAY**
34 **THAT HAS ONLY ONE LANE OF TRAVEL MOVING TOWARD THE EMERGENCY**
35 **VEHICLE, REDUCE THE SPEED OF THE MOTOR VEHICLE TO A REASONABLE AND**
36 **PRUDENT SPEED THAT ENSURES THE SAFETY OF THE EMERGENCY SERVICES**
37 **PERSONNEL MAKE A LANE CHANGE IN ACCORDANCE WITH ITEM (1) OF THIS**
38 **SUBSECTION, SLOW TO A REASONABLE AND PRUDENT SPEED THAT IS SAFE FOR**

1 EXISTING WEATHER, ROAD, AND VEHICULAR OR PEDESTRIAN TRAFFIC
2 CONDITIONS.

3 (F) This section does not relieve the driver of an emergency vehicle from the
4 duty to drive with due regard for the safety of all persons.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.